

**INDIAN ENVIRONMENTAL GENERAL ASSISTANCE PROGRAM
FY 2007 GRANT NOTIFICATION**

The U.S. Environmental Protection Agency (EPA), Region 9, is requesting FY-2007 Indian Environmental General Assistance Program (GAP) grant proposals from federally recognized tribal governments and intertribal consortia. The goal of the GAP is to assist tribes in developing the capability to plan and establish environmental protection programs and to develop and implement solid and hazardous waste programs in accordance with their individual needs.

The Catalog of Federal Domestic Assistance Number for the GAP is 66.926.

Important Dates*

1. **Grant Notification** distributed by EPA **Nov 16, 2006**
2. **Tribal Proposals** must be postmarked by **Jan. 19, 2007**
3. **Funding Decision Letters/Work plan Comments** provided by EPA ****Mar. 16, 2007**
4. **GAP Full Applications with Revised Work plans** postmarked no later than **Apr. 27 2007**
5. **Grant awards** will be made by **Sept. 30, 2007**

* Funding is jeopardized if materials are received after the due dates.

** Mail date for funding decision letters is based on R9's receipt of final GAP funding allocation

Important Changes for FY 2007

- **Mandatory GAP Work Plan Template** - For FY 2007 and beyond, the national GAP work plan template is mandatory. The national template for reporting is recommended. **Work plans that are not in the mandatory format will not be approved.** The national format was published in the Federal Register on February 24, 2006.
- **Amendments to the EPA Guidance, entitled "Indian General Assistance Program (GAP) 2006 Grant Administration Guidance,"** Federal Register, Vol. 71, No. 37, (February 24, 2006), will be published this winter in the Federal Register. The amendment will revised the mandatory work plan template.

INDIAN ENVIRONMENTAL GENERAL ASSISTANCE PROGRAM FY 2007 GRANT NOTIFICATION

I. BACKGROUND AND PROGRAM DESCRIPTION

In 1992 Congress passed the Indian Environmental General Assistance Program Act which authorizes the EPA to provide General Assistance Program (GAP) grants to tribal governments and intertribal consortia for planning, developing, and establishing environmental protection programs in Indian Country, and developing and implementing solid and hazardous waste programs on tribal lands. The goal of this program is to assist tribes in developing the capacity to manage their own environmental protection programs and to develop and implement solid and hazardous waste programs in accordance with their individual needs. This grant notification includes several GAP funding opportunities including:

- *General Assistance Program Grants* are described throughout the body of this document
- *Performance Partnership Grants* are referenced in Section IV
- *FY 2008 Annual EPA/Tribal Conference co-sponsorship* is referenced in the attached insert
- *Tribal Travel Fund Grant* is referenced in the attached insert

The GAP program is currently exempt from competition under sections 6(c) 1 and 2 of EPA's Policy for Competition of Assistance Agreements (EPA Order 5700.5A1). While funds for exempt programs may be competed if deemed practicable, the American Indian Environmental Office has determined that competition for the GAP is not practical because of the need to provide a clear and stable source of base funding for program development and capacity building across Indian country consistent with the primary statutory purpose of the program.

II. FUNDING AMOUNT AVAILABLE

Last year, EPA Region 9 received \$15,280,156 of new GAP funding to 129 tribes and four intertribal consortia in Arizona, California and Nevada. Our objective is to provide funding for new GAP grantees and to continue supporting existing grantees. Award amounts will depend on the amount of funding Region 9 receives, the number of tribes submitting applications and how well proposals address the review criteria. Funding is not guaranteed for all applicants.

New grantees will receive \$75,000 to support their first year of GAP activities. Amendments to existing grants may be in any amount, although most awards will range from \$75,000 to \$120,000 per year.

Requests for more than \$110,000 will be considered if needs are sufficiently justified and funding is available. Non federal matching funds are not required. GAP grant project periods may not exceed four years. At the end of a four-year grant period, tribes and intertribal consortia may apply for new GAP grants to continue GAP eligible activities.

III. ELIGIBILITY

Eligible Recipients

Federally-recognized Indian tribes and intertribal consortia are eligible to receive funds under this program. An intertribal consortium is defined as a partnership between two or more tribes authorized by the governing bodies of those tribes to apply for and receive assistance under the GAP. An intertribal consortium is eligible to receive GAP grants if the consortium can adequately document compliance with the following requirements:

- 1) A majority of its members meet the eligibility requirements for GAP grants;

- 2) All member tribes that meet the eligibility requirements authorize the consortium to apply for and receive the grant;
- 3) Only those member tribes that meet the eligibility requirements will benefit directly from the grant project and the consortium agrees to a grant condition to that effect.

Environmental Measures and Results

EPA's 2006-2011 Strategic Plan puts forward the Agency's goals for the next five years and describes how EPA intends to achieve a cleaner, healthier environment. The plan is a public statement of how EPA expects to achieve environmental results. Within the Strategic Plan, EPA has established five long-term, results-based goals. The Indian Environmental General Assistance Program falls under Goal 5, Compliance and Environmental Stewardship; Objective 3, Building Tribal Capacity. When approving work plans, the Tribal Programs Office must insure that all GAP funded work plans contain well-defined outputs and, to the maximum extent practical, well-defined environmental outcomes, and be linked to EPA's Strategic Plan.

EPA is also working towards better reporting of results achieved by the General Assistance Program. For FY 2006-2011, Region 9 is required to report annually on the following results for tribal programs:

1. Number of tribes with an environmental program.
2. Number of tribes implementing federal environmental programs in Indian country (TAS, DITCAs)
3. Number of tribes conducting EPA-approved environmental monitoring and assessment activities (under an approved QAPP).
4. The number of tribes covered by an approved integrated waste management plan.
5. The number of open dumps closed, cleaned-up or upgraded.

We strongly encourage you to include in your work plan activities which will further these tribal measures. Please contact your GAP project officer if you have questions on these measures.

A sample list of eligible GAP activities is provided in Attachment A, and a brief synopsis of capacity-building activities and SHW implementation activities is provided below:

Eligible Activities (See Attachment A)

A. Capacity-Building Activities - GAP funding can only be used for activities that help build tribal capacity to develop and manage environmental protection programs or support the implementation of solid and hazardous waste (SHW) management activities. GAP funds can't be used to implement any other types of environmental programs, such as watershed restoration. Capacity-building through this program may include developing appropriate administrative and legal infrastructures, establishing tribal technical capability, and developing integrated tribal environmental management programs that can be implemented with other funding sources, such as program-specific EPA grants.

For Region 9, One-Time Mandatory Tasks Under GAP include:

- **Environmental Inventory*** - Identify the Tribe's actual or potential environmental or human health issues.
 - **Environmental Plan*** - After an inventory is complete, develop and implement a tribal environmental plan to address tribal environmental issues and priorities. This plan can be used as a guide for the development of the tribal environmental program and future work plan activities.
 - **Administrative/Fiscal Assessment*** - Review and assess the tribe's financial, procurement and property management procedures to insure that the tribe's systems meet the requirements of 40 CFR Part 31 and OMB Circular A-87. Corrections to deficiencies found in the tribe's administrative systems are eligible activities under the GAP.
- (*Sample checklists/guidance documents are available from your project officer.)

B. Solid and Hazardous Waste Implementation Activities - GAP funds can be used to develop and implement tribal solid and hazardous waste programs. Implementation of solid and hazardous waste

activities may include (but is not limited to) development of integrated waste management plans (IWMP), development of solid waste codes/ordinances, removal of junk automobiles, scrap metal and/or used tires; development of solid waste enforcement programs, planning and conducting household hazardous waste cleanup days; establishing recycling collection areas; and cleaning up open dumps.

- **It is highly recommended that an IWMP be developed and approved by the tribe's governing body before other significant solid waste projects are implemented.**
- **EPA may also give priority to projects that focus on IWMP development and/or open dump closures based on the Agency's 2006-2011 Strategic Plan measures.**

For additional sample of solid waste activities, please see Attachment A. Projects that involve ground disturbing, precedent setting, or highly controversial activities may be subject to National Environmental Policy Act (NEPA) compliance. When NEPA compliance is warranted, GAP work plans must contain appropriate compliance activities (e.g., review of project impacts).

Cost Sharing or Matching

Grantees are not required to provide matching funds under the GAP.

IV. PROPOSAL and FULL APPLICATION PROCESS

GAP Grants

1) Proposals - GAP proposals must be postmarked by **January 19, 2007**. Proposals (original and one copy) must be mailed to the address below:

Tribal Program Office (CED-3)
ATTN: Kim Smith
75 Hawthorne Street
San Francisco, CA 94105

Grant proposals should be fifteen pages or less and must contain the following information:

a) Narrative Discussion

1. Applicants must describe the tribal capacity building efforts and/or high-priority environmental and human health issues that will be addressed using GAP funding. Tribes that have utilized GAP funding in the past must include a short summary (one to two paragraphs) of capacity building progress made under previous GAP grants.
2. Describe where the environmental staff is placed within the tribal organizational structure.
3. List other funding sources (both federal and non-federal) that the tribe has been granted or plans to pursue to develop and implement environmental programs.
4. Current recipients must provide a status of their cumulative expenditures and current balance of existing GAP grants as of 9/30/06.

b) Work Plan (See New Mandatory Format Attached)

A national format has been developed and is now mandatory for all GAP work plans. The national format for preparing reports is recommended. FY 2007, tribes must use the mandatory national format to develop their work plans. **Work plans that do not follow the mandatory format will not be approved.** Please see Attachment B (Sample *GAP Work Plan and Reporting Information*) for a description and sample of the required work plan format.

1. *General Work Plan Requirements* – GAP work plans must contain the following elements (see detailed description of terms and sample format in Attachment B):

- a) The work plan components to be funded;
 - b) Estimated work years and funding amounts for each component;
 - c) The work plan commitments for each work plan component, and a timeframe for their completion;
 - d) The expected outputs (or deliverables) for each commitment;
 - d) Outcomes (environmental result) associated with each work plan component;
 - d) Descriptions of tribal and EPA roles and responsibilities in carrying out the work plan commitments; and
 - e) A description of the process for jointly evaluating and reporting progress and accomplishments under the work plan.
2. *Two-Year Work Plans* - Current recipients whose grants expire in 2009 or later are strongly encouraged to develop a two-year work plan and budget. If funding is available, two-year work plans will be funded. A separate work plan and budget must be included for each year.
3. *Supplemental Priority Activities, Capital Expenditures, etc.* - Tribes that would like to request funding for special tasks (e.g., to conduct a water resources assessment, or clean up open dumps, abandoned autos or household hazardous waste) or special capital expenditures (e.g., water monitoring equipment) should submit a supplement to their base work plans and budgets. If sufficient GAP funds are available after base tribal program needs have been met, the EPA may fund additional priority tasks or capital expenditures. GAP review criteria will be used to determine priorities for funding supplemental activities or purchases.

c) Budget Breakdown - Include a separate budget breakdown for each year of the workplan or for any supplemental priority activities.

d) Government Endorsement - Individual tribal governments must include a tribal resolution or tribal government endorsement (e.g., a tribal leader signature on a cover letter) of the proposal. Intertribal consortia must include resolutions or other written certifications from each tribal government that will benefit from the proposed grant. Resolutions or certifications should clearly demonstrate that consortium members authorized the application.

2) Funding Decision Notifications/Guidance Letters - After EPA reviews grant proposals and makes preliminary funding decisions, project officers will notify tribes in writing of the status of each proposal. Letters will include the following guidance:

- a) the approved amount of funding a tribe should apply for,
- b) the date by which the final grant application and work plan must be postmarked,
- c) suggestions and/or requests for work plan or budget revisions, and
- d) instructions for obtaining application kits and mailing completed applications.

3) Final Applications and Work plans - Full applications and revised work plans must be postmarked no later than **April 27, 2007**. Full applications must include the federal Standard Form 424 and work plans and budgets that reflect changes requested by project officers, and meet the formats provided in the application kit and this document. Earlier application submissions are encouraged.

Application kits (including instructions) are available through the internet at <http://www.epa.gov/region09/funding/applying.html>. If you require a hard copy application kit, please contact an EPA Grant Assistant at 415-972-3723.

A Dunn and Bradstreet Data Universal Numbering System (DUNS) number must be included in every Federal grant application. There is only one DUNS number per tribe. Please include your tribal DUNS number in the appropriate field. A DUNS number can be obtained by calling 1-866-705-5711, or via the internet at <http://eupdate.dnb.com/requestoptions.html>.

By April 27, 2007, mail the original and one copy of your final application and work plan to the address below:

Grants Management Office (MTS-7)

U.S. EPA, Region 9
75 Hawthorne Street
San Francisco, CA 94105

5) Grant Award - The EPA will review final GAP applications and will request final revisions or additional information if necessary. Approved grant awards will be made no later than September 30, 2007.

Performance Partnership Grants

Performance Partnership Grants (PPGs) are grants formed by incorporating at least two eligible EPA grants into a single grant. PPGs help decrease administrative burdens and increase flexibility in how grant funds can be used. Tribes that receive two or more EPA grants are encouraged to discuss the prospect of forming a PPG with their GAP project officer and other project officers that would be involved.

Tribes should engage the EPA in PPG discussions before developing individual grant applications. Past grant performance is one of the factors EPA considers when evaluating PPG prospects. Since multiple grants are involved, PPG proposals and applications can take longer to develop than single grant proposals. Tribes or tribal consortia should strive to complete final PPG applications by **April 27, 2007** or sooner, unless directed otherwise by EPA project officers. Although PPG application deadlines may depend on the type of grants involved, the PPG application process will be similar to the standard GAP grant process.

V. PROPOSAL REVIEW INFORMATION

Review Criteria

GAP Proposals and funding amounts will be reviewed based on the following factors:

- a) Completeness of proposals, based on the requirements, eligible activities and priorities in this notification;
- b) Description of tribal capacity building needs and environmental or health risks (existing or potential);
- c) The complexity, scale and clarity of work plan activities, including well-defined outputs and outcomes (environmental results);
- d) Past performance under EPA grants, including fiscal accountability, quality and timeliness of progress reports, the ability to complete work plan activities on time, and ;
- e) Likelihood of completing proposed activities, considering past performance and available resources.

Funding Priorities

1) Individual Tribes

The primary purpose of the GAP is to build tribal capacity for developing and administering environmental protection programs for tribes; and it is EPA policy to work with tribes on a government-to-government basis. Therefore, providing GAP grants to individual tribal governments is our highest priority.

2) Programs/Projects for The Benefit of Other Tribes and/or Existing Intertribal Consortia

Activities that Benefit Multiple Tribes - This includes grants to individual tribes for activities that benefit multiple (or all) tribes in the Region. Such activities might include conducting training courses, holding conferences, and providing travel funds to other tribes to attend environmental training and meetings. We place this priority directly under the ranking for individual tribes and equal to that of existing intertribal consortia that perform similar functions.

Existing Intertribal Consortia - Funding for consortia will be considered after the needs of individual tribes are met. Consortia work plans should meet the needs of tribes without duplicating individual tribal efforts. Work plans that directly build tribal environmental capacity will be prioritized for funding.

3) New Intertribal Consortia

The overall amount of funding available to individual tribes is reduced each time a new intertribal consortium is funded. Funding new intertribal consortia will be our third priority.

VI. AWARD ADMINISTRATION

Regulations governing the award and administration of environmental program grants for tribes, including the GAP can be found at 40 CFR Part 31 and 40 CFR Part 35, Subpart B.

Quarterly reports are required. Tribes must report environmental outcomes in their quarterly reports. Cumulative expenditure reports must also be provided on a quarterly basis. Please refer to Attachment B (Sample GAP Work plan and Reporting Information) for further information about reporting requirements.

Financial Status Reports (FSRs) are required annually (interim FSRs) and a Final FSR must be submitted within 90 days after the grant expires.

Dispute procedures can be found at 40 CFR Part 30.63 and 40 CFR Part 31.70.

Confidentiality - Applicants must clearly mark information they consider confidential, and EPA will make confidentiality decisions in accordance with Agency Regulations found at 40 CFR, Part 2, Subpart B.

EPA Responsibilities and Review of Grantee Performance is described in Attachment B (f), (Sample GAP Work Plan and Reporting Information).

VII. AGENCY CONTACTS

For additional information or clarification, please contact your Project Officer (Attachment C), or the Tribal Program Office GAP Managers:

Pamela Overman at (415) 972-3781 or Overman.Pamela@epa.gov
Veronica Swann at (415) 972-3699 or Swann.Veronica@epa.gov

VIII. OTHER INFORMATION

Intergovernmental Personnel Act (IPA)

If a grantee is interested in obtaining technical assistance from EPA or another federal agency, they may be able to enter into a short-term Intergovernmental Personnel Act (IPA). The IPAs can take various forms, but generally EPA pays salary expenses for the invited federal employee, and costs for travel are paid from the tribe's grant. The federal employee works under the direction of the tribe for the IPA period, and performs work for the tribe, not EPA. IPAs cannot be used to pay travel for conducting EPA inspections or other EPA business. A grantee may enter into a longer term IPA for up to two years. In those cases, EPA grant usually pays the salary of the federal employee. Whether or not a grantee enters into an IPA is the decision of the grantee and is never mandatory. Please contact your project officer for more information.

Attachments

Attachment A	Sample Eligible GAP Program Activities
Attachment B	GAP Work plan Required Content/Mandatory Work Plan Template
Attachment C	Tribal Program Office GAP Project Officer Contact Sheet
Attachment D	Federal Register (dated February 24, 2006)

ATTACHMENT A

SAMPLE GENERAL ASSISTANCE PROGRAM ACTIVITIES

These are examples of some of the programs and activities which a tribe might want to consider in a General Assistance Program (GAP) proposal. The activities listed are not intended to be comprehensive in terms of specific requirements for authorizing program approvals, nor are the following sections intended to be all-inclusive of approvable activities. Activities will vary from tribe to tribe depending on the nature of the needs and priorities of each tribe.

Also provided below is a brief description of the EPA programs. For a more complete description of the programs, please request a copy of "A Guide to EPA Programs in Indian Country" from your Project Officer listed in Attachment C of this grant notification.

Environmental Sampling:

Any activities which require environmental measurements (i.e., soil, water, or air testing) require an EPA-approved Quality Assurance Project Plan prior to performing such activities. We suggest the following activity be added to the work plan that includes such testing.

Develop a Quality Assurance Project Plan (QAPP) which must be approved by EPA's Quality Assurance Management Section prior to any environmental measurements (i.e., prior to any assessment which requires sample collection).

Program-Specific Capacity-Building

Purpose: The objective of program specific capacity building efforts is to establish tribal environmental programs, including regulatory and enforcement capability. Environmental management may include both regulatory and non-regulatory environmental protection program activities. Activities funded under GAP may include assistance with developing technical capability, and planning and establishing an environmental management program.

I. General Program Development Activities

- Establish a Tribal Environmental Protection Office (hiring and training staff, purchasing equipment, etc.).
- Hire staff to develop the infrastructure for an environmental office.
- Conduct an environmental inventory of the reservation to identify all potential pollution sources (i.e., a visual assessment, compiling all existing data from sources (tribal, federal, state, local) to assess environmental conditions, taking one-time sampling measurements of waters, soil, etc. to provide data on baseline conditions). **NOTE: THIS TASK IS MANDATORY AND MUST, THEREFORE, BE INCLUDED AS A ONE TIME ACTIVITY TO BE DONE UNDER GAP.** Updates to the inventory are also encouraged.
- Prioritize current environmental conditions and develop a Tribal Environmental Plan outlining environmental needs for future years, identifying program areas of tribal interest, and estimating funding needs. (a sample environmental plan is available)
- **NOTE: THIS TASK IS MANDATORY AND MUST, THEREFORE, BE INCLUDED AS A ONE TIME ACTIVITY TO BE DONE UNDER GAP.**
- Acquire training in environmental program areas (water, air, waste, pollution prevention, etc.).
- Conduct education outreach to community members (newsletters, hold community

meetings, etc.).

- Building Legal Capability
- Assess the legal sufficiency of the tribe's approach to environmental regulation including enforcement of codes, and activities that may impact air, land, and water (i.e., obtain legal consultation in developing regulations, developing permitting requirements, building upon legal structure, etc.).
- Plan, develop and establish procedures to correct any legal deficiencies, and/or establish a new legal system and procedures, including policies and guidance, for environmental program management.
- Building Administrative Capability
- Assess and revise the tribe's current grant management procedures including accounting, auditing, evaluating, reviewing, and reporting for adequacy, to meet the requirements of 40 CFR 31; 40 CFR Part 35 and OMB Circular A-87 (i.e., obtain accounting consultation to assess current procedures to ensure that they meet the above-mentioned requirements). NOTE: THIS TASK IS MANDATORY AND MUST, THEREFORE, BE INCLUDED AS A ONE TIME ACTIVITY TO BE DONE UNDER GAP. (A sample checklist is available from the Tribal Program Office.)

II. Clean Water Act Activities

The goal of the Clean Water Act (CWA) is "to restore and maintain the chemical, physical, and biological integrity of the Nation's water", primarily through a prohibition against discharging pollution into the waters of the United States. While not comprehensive (certain sources of pollution are not directly regulated), the CWA does deal with a complex variety of matters concerning water pollution, including the following: grants for construction projects, research and study, development of water pollution control programs, permitting and regulation of discharges, establishing water quality standards and protecting wetland areas.

Below are some activities which may be funded under the GAP in order to work towards meeting CWA requirements:

- Identify and assess point and non-point discharge sources potentially impacting waters of the U.S. (i.e., this can include a visual assessment, review of historical documents which may help in determining the environmental conditions, taking limited sampling measurements of waters).
- Develop application and proposals for water quality specific grants, including any pre-qualification materials.
- Compile water quality data from all available sources.
- Identify and assess opportunities for water quality protection.
- Identify and assess opportunities for drinking water protection.
- Develop a wellhead protection program.

III. Safe Drinking Water Activities

The Safe Drinking Water Act (SDWA) is the federal law regulating the quality of drinking water from a public water system (PWS). The purpose of the act is to ensure that the drinking water

supplied to the public is safe for human consumption. The EPA has the responsibility of setting minimum national drinking water standards which must be met by all PWS (the SDWA does not apply to those water systems that are not classified as a PWS). Unless a tribe has primacy, EPA also has the authority and responsibility to implement the SDWA and its associated regulations in Indian Country.

Below are some activities which may be funded under GAP in order to work towards meeting SDWA requirements:

- Assess activities which impact drinking water sources (i.e., septic tanks, underground storage tanks, etc.).
- Develop a tribal utility organization responsible for operating and maintaining a public water system(s).
 - Acquire training for water system operators, tribal utility members, and tribal leaders.
 - Establish standards for well construction and for community septic systems.
 - Identify and assess all water resources, including compliance and contamination potential.
 - Develop codes, regulations and ordinances to regulate public water supply systems, including non-tribally owned and operated systems on tribal land and tribally-owned and operated systems.

GAP funding can be used by a tribe for drinking water and wastewater asset protection capacity building activities when it is used to plan the program, such as setting goals and designing an approach; developing the program from plans on paper to actions that help establish the program; and establishing the program, which might include performing a “test drive” of the program to work out the glitches, and make the program secure. These activities generally will occur during a four year timeframe. A more detailed fact sheet for these specific activities will be available from GAP project officers.

IV. Clean Air Act Activities

EPA Region 9 has two types of funding that tribes can apply for to conduct air activities: the General Assistance Program (**GAP**) and the Clean Air Act (**CAA**) §103.

CAA funds are typically applied for after a baseline assessment of air quality (including an inventory of existing air emissions) is completed. CAA funds are then used for air program implementation, if the tribe determines that there is an air pollution problem.

Funding air project activities under GAP

Tribes typically use GAP funding to conduct a needs assessment for an air program, which can take one to several years to complete. At the end of the assessment phase, a tribe will assess whether future air activities are needed, and for what type of funding to apply. Some typical air assessment activities are listed below.

- *Training* - May include, but is not limited to, workshops available through the Northern Arizona University’s Institute for Tribal Environmental Professionals (ITEP), the Tribal Air Monitoring Support (TAMS) Center, California Air Resources Board (CARB), EPA, and others. Networking between tribes, states, counties and educational facilities could be an additional component of this training.

- *Develop an Emissions Inventory* - Calculate emissions of air pollutants from sources within tribal jurisdiction (individual small and large sources, emissions from cars, etc.), in order to estimate impacts on reservation air quality and assess the need for air pollution control regulations.
- *Air program needs assessment* - After basic air pollution training is completed, determine the extent of air pollution issues on the reservation and develop an assessment of the need for a longer-term tribal air program.
- *Acquisition of existing air quality data from neighboring jurisdictions* - Local air pollution control districts may have air quality monitoring data helpful to the tribe in assessing reservation air quality.
- *Investigate impacts of neighboring sources on tribal air quality* - Acquire emission data from air quality permits and compliance data from permitting agencies for nearby sources impacting reservation air quality.
- *Participate in regional initiatives* - such as the Regional Tribal Operations Committee (RTOC), the Western Regional Air Partnership (WRAP), the National Tribal Air Association (NTAA) or local coalitions.
- *Community outreach/education* - Provide information on air pollution issues to the local community, schools and tribal government through presentations, brochures, etc.
- *Develop a Draft Monitoring Plan* – Develop a plan for gathering baseline air quality data for the reservation.
- *Submit a CAA 103 Proposal* - If the tribe decides to pursue a long-term air monitoring program, work with EPA Region 9 to develop a CAA 103 air grant proposal.

Note: GAP funds cannot be used to fund **air monitoring activities** on a long term basis, as that would be considered “program implementation,” which is not the focus of GAP funding. Tribes that seek an ongoing air monitoring program, or other long term air quality work, are encouraged to pursue CAA §103 funding, or use other sources of funding to support implementation activities.

Air project activities that should be conducted under a Clean Air Act grant

[Note: Receiving funding under the CAA§103 is not guaranteed to all tribes.]

- Developing an ongoing air monitoring program.
- Developing tribal codes and ordinances to regulate sources of air pollution.
- Developing air regulations (e.g. Treatment as State [TAS] and Tribal Implementation Plan [TIP]).
- Developing inspection and enforcement program.
- *All activities mentioned above under GAP are also allowable under CAA.*

As resources to fund air activities become increasingly limited under both GAP and the CAA, it is vital that tribes work together to leverage resources and share information with each other. Some ideas include:

- Exchange air quality data and emission inventories.
- Share the cost of training by consultants, when needed.
- Become trained to audit other tribes’ monitoring equipment.
- Join or develop local coalitions of tribes for support and to discuss issues.
- Share portable monitors, where feasible.

V. Solid Waste Activities

Congress directed EPA to develop standards for the disposal of solid waste. The two main regulations EPA developed for the handling and disposal of solid waste are located in 40 CFR Parts 257 and 258.

Below are some activities which may be funded under GAP in order to work towards obtaining solid waste objectives:

Recommended Phase One:

- Create an inventory of open dumps using GPS location data.
- Assess current solid waste management practices on the reservation.
- Assess the quantity and quality of generated waste.
- Develop an integrated solid waste management plan that is approved by the tribe's governing body.
- Develop solid waste codes and ordinances to implement the solid waste management plan.
- Assess the environmental conditions due to open dumping.
- Conduct outreach regarding environmental education dealing with solid waste (i.e., recycling, etc.).

Recommended Phase Two:

- Develop a waste enforcement program to prevent illegal dumping, including using signs to detract people from dumping.
- Conduct outreach regarding environmental education dealing with solid waste (i.e., recycling, etc.).
- Facility planning and feasibility studies; expert consultation; surveys and analysis of market needs; marketing of recycled resources.

Recommended Phase Three:

- Removal of junk automobiles, white goods, scrap metal, used tires.
- Cleanup and closure of open dumps or scatter waste sites.
- Construction of transfer stations, recycling centers, composting centers, household hazardous waste collection centers, used oil collection stations, etc.
- Conduct outreach regarding environmental education dealing with solid waste (i.e., recycling, etc.).
- National Environmental Policy Act (NEPA) compliance may be required for any construction activities.

VI. Chemical Emergency Planning/SARA Title III- Activities

SARA Title III has two purposes: 1) to encourage and support emergency planning for responding to chemical incidents, and 2) to provide local governments and the public with timely and comprehensive information about possible chemical hazards in communities.

Below are some activities which may be funded under GAP in order to work towards meeting SARA Title III objectives:

- Establish and appoint members of a Tribal Emergency Response Commission (TERC) and/or Local Emergency Planning Committee (LEPC).
- Develop and obtain tribal approval for ordinance/resolution establishing authority of TERC/LEPC.
- Develop a Chemical Emergency Notification Plan.
- Develop hazardous material program codes and regulations.
- Identify and assess potential chemical emergency sources (hazardous analysis).
- Conduct a Commodity Flow Study.
- Develop a Tribal Chemical Emergency Preparedness Response Plan.
- Have appropriate staff take awareness training.
- Conduct community outreach to assure knowledge of and responsiveness to an emergency plan.
- Conduct periodic emergency exercises.

VII. Underground Storage Tank Activities

An underground storage tank (UST) is any tank (including underground piping connected to the tank) that has at least 10 percent of its volume underground. The UST regulations (40 CFR Part 280) cover notification (registration), performance standards for new and existing tanks, tank closure, release detection, cleanup activities, financial responsibility, and reporting and record keeping.

Below are some activities which may be funded under GAP in order to work towards meeting UST objectives:

- Identify all operating and abandoned USTs and compare list with EPA's existing inventory.
- Develop codes, regulations and ordinances to regulate UST management activities.
- Provide training for staff on UST management.

VIII. Radon

The purpose of a non-regulatory radon program is to increase the public's awareness of health effects from exposure to radon and increase the number of homes/schools tested and mitigated if necessary, for radon gas. Radon is a naturally occurring radioactive gas that comes from the decay of uranium and is the second leading cause of lung cancer, next to smoking. Radon gas has been found in areas all over the world. The only way to know if a home or school has elevated radon levels is to perform radon testing. The U.S. Surgeon General has recommended that all homes in the U.S. be tested. EPA has also recommended that all schools be tested. Radon testing is simple and inexpensive. If high radon levels are found, there are ways to mitigate and prevent radon from seeping into a building. EPA has developed model radon resistant building codes that can reduce the cost of installing a radon system during construction.

Below are some activities which may be funded under GAP in order to address radon issues:

- Obtain radon training (testing and mitigation)
- Write a Quality Assurance Field Sampling Plan to test for radon.

- Conduct community outreach on radon.
- Conduct radon sampling. (Radon test kits may be available from EPA. Contact your EPA project officer.)
- Conduct outreach on sampling results.
- Encourage radon resistant new construction

IX. Federal Insecticide, Fungicide and Rodenticide Act (FIFRA)

The purpose of FIFRA is to regulate the manufacture, distribution, sale and use of pesticides so as to minimize risks to human health and the environment. A pesticide is defined as any substance intended to prevent, destroy, repel or mitigate pests. FIFRA requires registration of all pesticides; restricts use of certain pesticides; establishes requirements for the certification of pesticide applicators; authorizes experimental use permits; establishes the conditions for cancellation of pesticides; and requires the registration of pesticide manufacturers.

Below are some activities which may be funded under GAP in order to address tribal pesticides issues:

- Assess current and historical pesticide use, sale and distribution, and identify pesticide concerns on tribal lands. This can include development of a questionnaire guideline and conducting interviews to gather information regarding sites where pesticides are/were used, and types/amounts of pesticides used, sold, distributed, stored and disposed of on tribal lands.
- Attend appropriate EPA and non-EPA training.
- Develop codes, regulations and ordinances.
- Develop other regulatory and non-regulatory policies which enable the tribe to monitor and control pesticide use on the reservation (examples are Pesticide Management Plans, Integrated Pest Management Plans, Pesticide Use Notification System, and Pesticide Permit Program).
- Assess and develop tribal infrastructure to support a pesticides program, including:
 - 1) Developing policies necessary to implement codes/ordinances or other tribal pesticide policies;
 - 2) Identifying impacts of pesticides on other environmental media; Determining how information about pesticides can be shared between programs; and
 - 3) Developing mechanisms to report and respond to pesticide incidents.
 - 4) Develop application for pesticide cooperative agreement, as necessary.

X. Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) authorizes EPA to identify and control toxic chemical hazards to human health and the environment. Children are very vulnerable to the hazards of asbestos and lead exposure. Two programs under this statute address these specific toxic hazards through the asbestos in schools rule and the lead-based paint hazard reduction program. Awareness or outreach/education and proper management of asbestos-containing materials

(ACM) and surfaces coated with lead-based paint are important in the prevention of exposure. In addition, EPA has promulgated regulations that include training requirements to assure the availability of a qualified workforce to conduct asbestos and lead activities properly. EPA also requires the disclosure of lead-based paint in pre-1978 housing.

Below are some activities which may be funded under GAP in order to address asbestos and lead issues:

A. Asbestos

- Develop and/or provide published informational material on asbestos, its hazards, and where it might be found in the home, schools and other buildings.
- Increase awareness of what practices may disturb ACM (i.e., sanding, abrading, scraping ceiling material) and promote good management practices to minimize disturbance of ACM and the release of airborne fibers.
- Provide appropriate training to tribal environmental staff to develop capability and expertise to address tribal asbestos concerns in public buildings.

B. Lead

- Educate tribal and community members regarding the dangers of lead and areas in which lead poisoning can occur.
- Increase awareness at all levels of the reservation by encouraging community involvement in a lead prevention project.
- Provide educational outreach to small children by using hands-on science.
- Provide lead awareness seminars to different levels of the community.
- Conduct inspections and risk assessments of tribal housing units.

XI. Pollution Prevention

Pollution prevention means reducing the generation of pollution prevention at its source, before it is created. The Pollution Prevention Act of 1990 establishes an environmental management hierarchy that emphasizes source reduction over recycling, treatment and disposal. Source reduction is defined as "any practice that reduces the amount of any hazardous substance, pollutant or contaminant entering any waste stream or otherwise released into the environment prior to recycling, treatment, or disposal; and which reduces the hazards to public health and the environment associated with the release of such substances, pollutants or contaminants". It also includes protecting natural resources through conservation of energy, water, or other materials. EPA has declared that pollution prevention is the "policy of first choice" for solving environmental problems. Pollution prevention activities can be integrated into regulatory programs or be non-regulatory and voluntary. Source reduction efforts can be particularly effective for addressing non-point source pollution related to unregulated sources such as agriculture and indoor air pollution or storm water runoff.

Below are some Pollution Prevention activities which may be funded under GAP:

- From the completed tribal environmental assessment, identify priority environmental problems, waste streams, or pollution sources that could be addressed through pollution prevention (source reduction).
- Develop a pollution prevention policy for tribal environmental protection activities.
- Review and modify tribal environmental regulations to incorporate source reduction (e.g.,

give credit for source reduction activities, as well as end-of-pipe controls, include source reduction measures within permits, include source reduction in enforcement cases through supplemental environmental projects).

- Develop voluntary technical assistance/outreach programs to help priority sectors (e.g., auto repair, casinos, agriculture) adopt source reduction measures.
- Inventory the use of Household Hazardous Wastes (HHW) on the reservation.
- Develop an outreach program for minimizing HHW generation by promoting use reduction, proper use and disposal of chemical products, and viable alternatives.
- Develop an outreach program on the use of the alternative products.

For more information on potential project ideas see the Pollution Prevention Resource Exchange website, www.p2rx.org

XII. Activities Not Eligible Under GAP

Construction of specific facilities or site-specific actions are not eligible under GAP, with the exception of Solid and Hazardous Waste projects, unless EPA determines funding such activities is necessary to carry out the purpose of the program. Examples of non-eligible activities include, but are not limited to:

- leaking underground storage tank remediation;
- wastewater treatment facility construction;
- operation and maintenance of sanitary facilities;
- preparation of site-specific Environmental Impact Statements for the purpose of NEPA compliance with the exception of solid and hazardous waste projects funded by EPA.

ATTACHMENT B
GENERAL ASSISTANCE PROGRAM (GAP) WORK PLAN INFORMATION
AND QUARTERLY PROGRESS REPORTING

An approvable work plan must contain:

- a) The work plan **components** to be funded under the grant. A work plan component is a set of negotiated work plan commitments. Work plans are often organized under major themes (e.g., Solid Waste Activities). A work plan component can be thought of as a major theme.
- b) The estimated **work years** and **funding amount** needed to complete activities under each work plan component. A work year is equivalent to 2,080 hours. Work year estimates are usually expressed as percentages (e.g., .1 or 10%) of a work year that each staff person is expected to devote to the grant component (or individual tasks). A summation of work years for each work plan component should match the total personnel work years shown on GAP budget pages.
- c) The **work plan commitments** for each work plan component, and a **time frame for completion**. Commitments are the outputs and outcomes associated with each workplan component.
- d) A **work plan output** is the **environmental activity** or effort and the associated **work products** related to an environmental goal or objective that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during a grant funding period. Outputs reflect the products and services provided by the recipient, but do not, by themselves, measure the programmatic or environmental results or outcomes in an assistance agreement.
- e) A **work plan outcome** is the environmental result, effect or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or objective. Outcomes may be environmental, behavioral, health-related or programmatic in nature, must be quantitative, and may not necessarily be achievable within an assistance agreement funding period.
- f) The **roles and responsibilities** of the recipient and EPA in carrying out work plan commitments. Recipient roles and responsibilities have always been identified in GAP grants. Recipients are now required to identify their need of an EPA role in order to carry out the work plan commitments.
- g) A **progress reporting schedule** and **joint evaluation process** (40 CFR Part 35.115). A quarterly progress reporting schedule is a standard R9 GAP requirement (and work plan task). Work plans must describe a joint (tribal/EPA) evaluation process. The EPA and Region 9 tribes have been jointly evaluating recipient grant performance for several years, through the year-end reporting and evaluation process.

Please see appropriate references in 40 CFR (Parts 35.102, 35.507, 35.502, 35.115, and 31.40) and (or) call your Project Officer if you would like more information while completing your work plan.

**General Assistance Program
Sample Work Plan Template**

Tribe: Oak Flat Tribe

Region: IX

Work Plan Period Begin 10/1/06 End: 9/30/07

Work Plan Component 1: Solid Waste

Primary Capacity Area Developed (check one):

Legal__ Enforcement/Compliance__ Technical__ Communication__ Administrative__ Solid/Hazardous Waste Implementation X

Environmental Outcome(s):

- Eliminate human health risks associated with the dump
- Eliminate the continued risk of contaminated soil, groundwater, and surface water on (and adjacent to) the three-acre dump site.

Intermediate Outcome(s) (this work plan period):

- Close the Spider Ridge Dump

ESTIMATED COMPONENT COST: \$ 5,000

ESTIMATED COMPONENT WORK YEARS: .2

Env Director .1 @ 40/hr Env Tech. .1 @25/hr

COMMITMENTS		CAPACITY AREA DEVELOPED	ESTIMATED COMMITMENT COST (optional)	END DATE	OUTPUTS AND DELIVERABLES
1.1	Develop a dump closure health and safety plan	Technical	\$400 (10 at \$40/hr)	9/30/07	Health and safety plan to EPA
1.2	Educate staff and workers about dump closure hazards and how to use appropriate personal protective equipment.	Communication	\$250 (10 hrs @ \$25/hr,	3/1/07	Copies of agenda and training materials to EPA
1.3	Assess the type and amount of materials in the dump	Technical	\$1,600 (40 hrs @ \$40/hr)	9/30/07	Assessment to EPA
1.4	Develop a draft dump closure plan, including cost estimated and time lines	Technical	\$1,600 (40 hrs @\$40/hr)	4/30/07	Draft dump closure plan to EPA
1.5	Identify issues, concerns and opportunities associated with to the dump closure plan and develop a final plan accordingly,	Communications	\$250 (10 hrs @ \$25/hr)	7/31/07	Final plan to EPA
1.6	Assess the need to conduct soil and water sampling at or near the dump site.	Technical	\$400 (10 hrs @ \$40/hr)	9/15/07	Assessment to EPA
1.7	Clean up and close dump	Technical	\$250 (10 hrs @ \$25/hr) Contractor \$42,000	9/15/07	Before and after pictures of the dump clean up to EPA.
1.8	Install signs (citing penalties for illegal dumping) to inform the public the dump is closed and install two gates to prohibit access to the site.	Enforcement	\$250 (10 hrs @ \$25/hr)	9/15/07	Pictures of signs to EPA

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Goal X:

Objective X.X:

Sub-objective X.X.X:

**General Assistance Program
Sample Work Plan Format**

Tribe: Oak Flat Tribe

Region: IX

Work Plan Period Begin 10/1/06 **End:** 9/30/07

Work Plan Component 1: Tribal Financial/Administrative Capacity Building

Primary Capacity Area Developed (check one):

Legal__ Enforcement/Compliance__ Technical__ Communication__ Administrative_X_ Solid/Hazardous Waste Implementation__

Environmental Outcome(s):

- To comply with federal administrative grant requirements.

Intermediate Outcome(s) (this work plan period):

- Determine compliance with 40 CFR Part 31 and OMB Circular A-87
- A completed written administrative assessment to ensure the Tribe follows proper administrative procedures while conducting grant activities.

ESTIMATED COMPONENT COST: \$ 3,400

ESTIMATED COMPONENT WORK YEARS: .08

Environmental Director .08

COMMITMENTS		CAPACITY AREA DEVELOPED	ESTIMATED COMMITMENT COST (optional)	END DATE	OUTPUTS AND DELIVERABLES
1.1	The Environmental Director will work with the Finance Office to research EPA's administrative requirements and complete a review of the tribe's administrative systems, to determine compliance with the federal requirements, including: Timekeeping procedures, Procurement procedures, Property Tracking and Inventory requirements, Record Retention Requirements, Travel procedures	Administrative	\$400 (20rs at \$20/hr)	3/30/07	Submit to EPA a completed Administrative Checklist. Update as needed.
1.2	Document findings and follow up actions from administrative checklist in a written summary report. Report will identify deficiencies and a plan to correct them.	Administrative	\$200 (10hrs @ \$20/hr)	6/30/07	Submit to EPA a report showing findings and a plan to improve existing systems.
1.3	Document accounting procedures, including: Accounting records, internal controls, budget control, cost management, allowable cost, and source documentation.	Administrative	\$800 (40 hrs @ \$20/hr)	6/30/07	Update and maintain Fiscal policy manual in the fiscal office. Submit quarterly "budgeted expenditures vs. actual reports" to EPA.
1.4	Document policies and procedures for the following: Who maintains copies of grant application, grant award and amendments, budget changes, payment requests, progress reports, Financial Status Reports, contracts under the grant, the indirect cost rate agreement.	Administrative	\$1,600 (80 hrs @ \$20/hr)	4/30/07	Update and maintain the completed policies and procedures manual in the fiscal office. Update as needed.
1.5	Work with finance office to review annual Single Audit (A-133) reports to ensure tribe follows up on findings	Administrative	\$200 (10hrs @ \$20/hr)	7/31/07	Copy of single audit follow up to EPA.
1.6	Work with finance office to review Indirect Cost Proposal, and submit timely proposal to cognizant agency.	Administrative	\$200 (10hrs @ \$20/hr)	09/30/07	Maintain current Indirect Cost Rate approval letter on file. ICR to be submitted with Grant Application annually.

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Goal X: **Objective X.X** **Sub-objective X.X.X.**

